

**DECLARATION AND POWER OF ATTORNEY - ORIGINAL APPLICATION****Attorney's Docket No.**  
**81098396**

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name;

I verily believe I am the original, first and sole inventor or an original, first and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled

**VEHICLE AND METHOD FOR OPERATING AN ENGINE IN A VEHICLE**

the specification of which is attached hereto.

I have reviewed and understand the contents of the specification identified above, including the claims.

I acknowledge my duty to disclose information of which I am aware that is material to the examination of this application in accordance with Section 1.56(a), Title 37 of the Code of Federal Regulations; and as to application for patents or inventor's certificate on the invention filed in any country foreign to the United States of America, prior to this application by me or my legal representatives or assigns,

- ☒ no such applications have been filed, or
- ☐ such applications have been filed as follows:
- ☐ I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below

| COUNTRY | APPLICATION NO. | DATE OF FILING<br>(month, day, year) | DATE OF ISSUE<br>(month, day, year) | PRIORITY<br>CLAIMED<br>UNDER 35 USC 119 | <input type="checkbox"/> Additional<br>provisional<br>application<br>numbers are listed<br>on a supplemental<br>priority data sheet<br>PTO/SB/02B<br>attached hereto. |
|---------|-----------------|--------------------------------------|-------------------------------------|---|---|
|         |                 |                                      |                                     |   |   |
|         |                 |                                      |                                     |   |   |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

\_\_\_\_\_  
(Application Number)                      (Filing Date)                      (Status - patented, pending, abandoned)

\_\_\_\_\_  
(Application Number)                      (Filing Date)                      (Status - patented, pending, abandoned)

**POWER OF ATTORNEY:** - I/we hereby appoint the following Practitioners at: Customer Number 28395, as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office and all foreign Patent Offices.

Please direct all correspondence to: 28395

Address all correspondence and telephone calls to: 28395

Marc Malooley - 50,624  
Brooks Kushman P.C.  
1000 Town Center  
Twenty-Second Floor  
Southfield, Michigan, 48075-1238

(248) 358-4400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE:

Name: Erik Andersen  
Home Address: 1298 Trailside,  
City, State, Zip: Wixom, MI 48393  
Country: United States of America  
Residence: Wixom, MI 48393  
Nationality/Citizenship:

\_\_\_\_\_  
Date: \_\_\_\_\_

United States of America  
United States of America

Name: Chris Kapolnek  
Home Address: 1757 N Mildred,  
City, State, Zip: Dearborn, MI 48128  
Country: United States of America  
Residence: Dearborn, MI 48128  
Nationality/Citizenship:

\_\_\_\_\_  
Date: \_\_\_\_\_

United States of America  
United States of America

Name: David Liller  
Home Address: 33442 Hunter,  
City, State, Zip: Westland, MI 48185  
Country: United States of America  
Residence: Westland, MI 48185  
Nationality/Citizenship:

David Liller Date: 7/29/2004

United States of America  
United States of America

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

**Erik Andersen et al.**

Serial No.: To Be Assigned

Filed: Filed Herewith

For: VEHICLE AND METHOD FOR OPERATING AN ENGINE IN A VEHICLE

Attorney Docket No.: 81098396 / FMC 1743 PUS

**CONSENT LETTER**

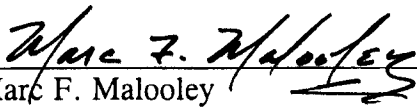
Commissioner for Patents  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The attorney/agent identified below has reviewed this application and its attachments and consents to its electronic filing.

Respectfully submitted,

**Erik Andersen et al.**

By:   
Marc F. Malooley  
Reg. No. 50,624  
Attorney/Agent for Applicant

Date: July 29, 2004

**BROOKS KUSHMAN P.C.**  
1000 Town Center, 22<sup>nd</sup> Floor  
Southfield, MI 48075-1238  
Phone: 248-358-4400  
Fax: 248-358-3351